



MEMORANDUM

107.07-17A MIAMI-DADE/GSA-MAT. MGT. .

Agenda Item No. 6(F)

TO: Honorable Chairperson and Members
Board of County Commissioners

DATE: **July 22, 2003**

FROM: George M. Burgess
County Manager

SUBJECT: Revision to Ordinance 8B
Emergency Management

RECOMMENDATION

It is recommended that the Board adopt the accompanying ordinance amending Chapter 8B of the Code of Miami-Dade County that established the Miami-Dade County Office of Emergency Management. The amendment was adopted on first reading by this Board on April 22, 2003. On May 13, 2003 the Public Safety Committee amended the proposed revised ordinance and forwarded the item to the Board with a favorable recommendation as amended. The revision provides additional direction for emergency management contingency preparedness plans, the readiness of the Emergency Operations Center, and the organization of divisional emergency operations centers by municipalities within the County.

BACKGROUND

On May 25, 1999 the Mayor and the Board of County Commissioners adopted Ordinance No. 99-51, §3, which amended chapter 8B in its entirety. The former chapter 8B pertained to Civil Defense and derived from Ordinance No. 68-79 adopted December 17, 1968. The present ordinance amends sections 8-1 through 8-12 and adds sections 8-13 to 8-15.

The requirement that county departments and agencies maintain emergency preparedness plans is modified to include identifying a baseline of preparedness for a full range of hazard-risks and establishing a program that maintains the continuity of essential departmental functions during any emergency that disrupts normal operations. The plans shall be in a format approved by, and submitted annually to, the Office of Emergency Management (OEM) to ensure uniformity and comprehensiveness of their scope.

The proposed amendment enhances the readiness of the Emergency Operations Center (EOC) by establishing expanded responsibilities for those Miami-Dade County departments and agencies that are required to report to and function in the EOC. Department directors shall designate each staff as "essential" or "non-essential" and outline the responsibilities of "essential" staff in their plan. Those department directors shall appoint staff to a pool of that department's representatives who will receive training in their role and function and report to the EOC upon activation.

The incorporated municipalities within the County will be organized into divisions and report to a Divisional Emergency Operations Center upon activation under the direction of one municipality within the division. One trained representative from each division will be sent upon request to the Miami-Dade EOC further enhancing coordinated county-wide response, recovery and mitigation actions.



MEMORANDUM

TO: Honorable Chairperson and Members
Board of County Commissioners

DATE: July 22, 2003

SUBJECT: Revision to ordinance 8B
Emergency Management

FROM: George M. Burgess
County Manager

The proposed revision to ordinance 8B that established the Miami-Dade County Office of Emergency Management will have no fiscal impact on Miami-Dade County. The amendment provides additional direction for emergency management contingency preparedness plans, the readiness of the Emergency Operations Center, and the organization of divisional emergency operations centers by municipalities within the County.



MEMORANDUM

(Revised)

TO: Honorable Chairperson and Members
Board of County Commissioners

DATE: July 22, 2003


FROM: Robert A. Ginsburg
County Attorney

SUBJECT: Agenda Item No. 6(F)

Please note any items checked.

- ☐ "4-Day Rule" ("3-Day Rule" for committees) applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Bid waiver requiring County Manager's written recommendation
- ☐ Ordinance creating a new board requires detailed County Manager's report for public hearing
- ☐ Housekeeping item (no policy decision required)
- ☐ No committee review

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 6(F)

7-22-03

ORDINANCE NO. _____

ORDINANCE AMENDING SECTIONS 8-1 THROUGH 8-12
AND ADDING SECTIONS 8-13 THROUGH 8-15 TO
CHAPTER 8B EMERGENCY MANAGEMENT OF THE CODE
OF MIAMI-DADE COUNTY, FLORIDA; PROVIDING
SEVERABILITY, INCLUSION IN THE CODE, AND AN
EFFECTIVE DATE

**BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF
MIAMI-DADE COUNTY, FLORIDA:**

Section 1. Chapter 8 of the Miami-Dade County Code is hereby amended to read as
follows:¹

Chapter 8B EMERGENCY MANAGEMENT

State law references: Emergency management, Florida Statutes § 252.

Editor's note: Ord. No. 99-51, § 3, adopted May 25, 1999, amended chapter 8B,
§ 8B-1--8B-12, in its entirety. Former chapter 8B pertained to Civil Defense and
derived from Ord. No. 68-79, § 3--6, 8, adopted December 17, 1968.

Sec. 8B-1. Establishment.

Pursuant to F.S. 252, there is hereby established the Miami-Dade County Office
of Emergency Management, the operation of which shall be the responsibility of
the County Manager. The duties of the Office of Emergency Management shall be
to provide for the effective direction, control and coordination of ~~[[county]]~~
>>Miami-Dade County<< government disaster management services, functional
units, and personnel, and provide ~~[[liaison]]~~ >>collaboration<< with other
governments and the private sector, in compliance with the Miami-Dade County
Comprehensive Emergency Management Plan. (Ord. No. 99-51, § 3, 5-25-99)

¹ Words stricken through and/or ~~[[double bracketed]]~~ shall be deleted. Words underscored and/or >>double
arrowed<< constitute the amendment proposed. Remaining provisions are now in effect and remain unchanged.

Sec. 8B-2. Definitions.

When used in Chapter 8B the following terms shall have the meanings set forth below:

(1) The Board of County Commissioners is the elected legislative body representing all residents of Miami-Dade County and shall herein be referred to as the "Board".

(2) The County Manager is the Chief Administrative Officer of Miami-Dade County and shall herein be referred to as the "Manager".

(3) The Director of the Office of Emergency Management is the >>Miami-Dade<< County official who will execute the [[emergency management plans]] >>Comprehensive Emergency Management Plan<< in Miami-Dade County and shall herein be referred to as the "Director".

(4) [[Disaster shall be defined as an incident, natural or manmade, that interrupts or damages either the sociological fabric or the infrastructure of the community that may require a response action including the declaration of Local State of Emergency. Events that require this action could include armed attack on the United States of America or its territories, fire, flood, hazardous materials release, hurricane, large scale cultural or social event, radiological incident, riot or insurrection, tornado, transportation mishap, tropical weather system, or other occurrence.]] >>Disaster shall be defined as any natural or man-made incident that disrupts or damages the social or economic systems or infrastructure of the community and which is so severe that a Local State of Emergency is declared.<<

(5) [[Emergency shall be defined as an incident that threatens to disrupt the sociological fabric or infrastructure of a community in such a manner as to warrant a response action.]] >> Emergency shall be defined as any incident, natural or manmade, that disrupts or threatens to disrupt, the social or economic systems or infrastructure of the community in such a manner as to warrant a response action but does not warrant the declaration of Local State of Emergency.<<

(6) The Executive Mayor is the elected Chief Executive Officer of Miami-Dade County and shall herein be referred to as the "Mayor."

(7) The "Plan" refers to the Comprehensive Emergency Management Plan written by the Miami-Dade County Office of Emergency Management >>pursuant to Florida Statutes § 252.38. The Plan establishes the framework through which Miami-Dade County prepares for, responds to, recovers from, and mitigates the impacts of a wide variety of disasters that could adversely affect the health, safety and/or general welfare of the residents of Miami-Dade County. The Plan provides guidance to Miami-Dade County and local officials on procedures, organization, and responsibilities, as well as provides for an integrated and coordinated local, State and federal response. The Plan establishes a method of operation that spans the direction and control of an emergency from initial monitoring through post-disaster response, recovery, and mitigation.<<

(8) “Residential Health Care Facilities” (RHCs) are defined as hospitals, ~~[[nursing homes, assisted living facilities and facilities for the developmentally disabled]]~~ >>ambulatory surgical centers, and long-term care facilities pursuant to Florida Statutes § 395.002 and § 400.0060.<<

(9) The ~~>>State of Florida shall herein be referred to as the<<~~ “State”~~[[refers to the State of Florida]]~~.

(10) The “Miami-Dade County Office of Emergency Management” shall ~~>>herein<<~~ be referred to as the "Office of Emergency Management." (Ord. No. 99-51, § 3, 5-25-99)

~~>>~~(11) The “Miami-Dade Emergency Operations Center (EOC)” shall be defined as the pre-established, secured, and protected facility from which Miami-Dade County coordinates, monitors, and directs countywide emergency response and recovery activities during a threat of, or an actual disaster.

(12) “Activation of the EOC” shall be defined as the alert, notification, or mobilization of appropriate department, agency or organizational representatives to the EOC in order to initiate the Plan so as to functionally prepare, mitigate, respond and recover from an incident or disaster.

(13) “Lead Agency” shall be defined as the department, agency or organization assigned primary responsibility by the Director to manage and coordinate a specific function pursuant to the Plan. Lead agencies are designated on the basis of their having the most authorities, resources, capabilities, or expertise relative to the accomplishment of the specific function. Lead Agencies will be responsible for maintenance of sections of the Plan related to their assigned function.

(14) “Essential employee” shall be defined as a Miami-Dade County employee whose job function(s) is critical to the performance of the employee’s department or agency’s mission during disaster situations within Miami-Dade County. As such, the absence or non-performance of the employee’s job function negatively impacts the department or agency from providing its mission(s) prescribed in the Plan.

(15) “Non-essential employee” shall be defined as a Miami-Dade County employee whose job function(s) is not critical to the performance of the employee’s department or agency’s mission during disaster situations within Miami-Dade County. As such, the absence or non-performance of the employee’s job function does not negatively impact the department or agency from providing its mission(s) prescribed in the Plan.<<

Sec. 8B-3. Territorial limits for performance of functions.

The Office of Emergency Management shall perform civil defense, mitigation, preparedness, disaster response, and recovery functions within the territorial limits of Miami-Dade County including incorporated municipalities, and, in addition, shall conduct such functions outside of such territorial limits as may be required pursuant to the provisions of Chapter 252, Florida Statutes, and in accordance with State and ~~>>Miami-Dade<<~~ County comprehensive emergency management planning. (Ord. No. 99-51, § 3, 5-25-99)

Sec. 8B-4. Powers of the Board of County Commissioners.

The Board accepts all powers vested in the Office of Emergency Management as created by and defined in Chapter 252, Florida Statutes.

(1) *Conduct of Board business in event of a disaster or emergency:* If, due to a disaster or emergency as defined herein, it becomes impossible to conduct the affairs of >>Miami-Dade<< County government at regular or usual places, the Board, as the legislative body of ~~[[the]]~~ >>Miami-Dade<< County, may meet upon the call of the Chairperson at any place within the territorial limits of ~~[[the]]~~ >>Miami-Dade<< County. If relocation is required due to the effects of a disaster or emergency, the affairs of the Board shall be lawfully conducted at temporary location(s) until normal facilities can be restored. This section does not in any way dismiss the Board's responsibilities under the Florida State Open Government Sunshine Act, as amended. All reasonable attempts must be made to comply with the requirements of Florida Statutes 286.011.

(2) *Termination of a Local State of Emergency:* If a Local State of Emergency has been declared by the Mayor or the Manager in ~~[[his/her absence]]~~ >>the ~~absence of the Mayor~~<< and exceeds thirty (30) days, the Board can terminate the Declaration of a Local State of Emergency by a two-thirds (2/3) majority vote of those present. (Ord. No. 99-51, § 3, 5-25-99)

Sec. 8B-5. Procedure for adoption of ordinances and regulations during disasters or emergencies.

Upon ~~[[affidavit]]~~ >>affirmation<<by the ~~[[County]]~~ Mayor or >>the<< Manager in the absence of >>the<< Mayor that a disaster or emergency exists which will affect the health, safety or welfare of the citizens of ~~[[the]]~~ >>Miami-Dade<< County, any such ~~[[rule]]~~ >>ordinance<<or regulation adopted and promulgated because of such disaster or emergency shall become enforceable immediately upon promulgation>>.<< ~~[[or as the rule or regulation may provide and a copy thereof]]~~ >>A copy<< shall be filed with the Clerk of the Circuit Court as Clerk of the >>Miami-Dade<< County Commission within twenty-four (24) hours of its promulgation. Upon failure to file the ~~[[emergency rule]]~~ >>ordinance<< or regulation within twenty-four (24) hours, such ~~[[rule]]~~ >>ordinance<< or regulation shall not be deemed to have been adopted because of a disaster or emergency and shall have no effect until filed in the Office of the Clerk of the Circuit Court as Clerk of the >>Miami-Dade<< County Commission ~~[[for]]~~ >>within<< a period of fifteen (15) days as heretofore provided. (Ord. No. 99-51, § 2, 3, 5-25-99)

Sec. 8B-6. Powers of the Mayor.

Pursuant to the Code and Florida State law, and to execute the policies and purposes of this Chapter, the Mayor, or the Manager in ~~[[his/her absence]]~~ >>the absence of the Mayor<< is authorized to:

- (1) Declare a Local State of Emergency: The Mayor may declare a Local State of Emergency for a period of up to thirty (30) days for any or all areas of ~~[[the]]~~ >>Miami-Dade<< County in response to the ~~[[eminent]]~~ >>imminent<< threat of, or an occurring emergency or disaster. The Mayor or >>the<< Manager in ~~[[his/her absence]]~~ >>the absence of the Mayor<< must present to the Board and file with the Office of the County Manager an affidavit stating ~~[[his/her]]~~ >>the<< reasons for the Declaration.
 - (a) If the Declaration is to exceed thirty (30) days the Mayor, or the Manager in ~~[[his/her absence]]~~ >>the absence of the Mayor<<, shall present to the Board an additional affidavit stating the reasons for the extension.
 - (b) A Local State of Emergency may be terminated by executive order once conditions that prompted ~~[[its]]~~ >>the<< declaration are no longer a threat.
- (2) ~~[[Insure]]~~ >>Ensure<< the coordination of ~~[[the County with]]~~ Local, State, or Federal agencies, and private entities to facilitate disaster or emergency operations.
- (3) The Mayor shall be the official representative of ~~[[the]]~~ >>Miami-Dade<< County and speak on behalf of its actions in response to disasters or emergencies. (Ord. No. 99-51, § 3, 5-25-99)

Sec. 8B-7. Duties of the County Manager.

The Manager shall be responsible for the overall emergency management function in ~~[[the]]~~ >>Miami-Dade<< County, and ~~[[to the best of his/her ability,]]~~ keep the Mayor and the Board advised of ~~[[his/her]]~~ >>any<< actions.

- (1) The Manager may mobilize any or all functional parts of ~~[[the]]~~ >>Miami-Dade<< County government, take special actions and put in place all appropriate regulations that will protect the lives and property of the citizens of Miami-Dade County.
- (2) Once a Local State of Emergency has been declared, the Manager is authorized by the Mayor and the Board to order any or all of the following actions:
 - (a) Employee Recall Order: An order recalling Miami-Dade County employees from vacation, canceling days off, and mobilizing all personnel required for disaster response;
 - (b) Authorize the ~~[[General Services Administration]]~~ >>Department of Procurement<< to suspend normal leasing and bid procedures to procure space, structures or other items under their normal authority for disaster response determined necessary ~~[[by the Director]]~~;
 - (c) Authorize procurement of supplies, equipment, and services without formal bidding procedures;

- (d) Evacuation Order: A mandatory order(s) directing the evacuation of appropriate area(s) of ~~[[the]]~~ >>Miami-Dade<< County deemed to be in ~~[[eminent]]~~ >>imminent<< danger from disaster;
 - (e) Curfew: In the period before, or during and immediately after an event, an order imposing a general curfew applicable to ~~[[the]]~~ >>Miami-Dade<< County as a whole, or to geographical area(s) of ~~[[the]]~~ >>Miami-Dade<< County and during hours the Manager deems necessary, and from time to time, to modify the hours the curfew will be in effect and what area(s) it applies to;
 - (f) An order requiring any or all commercial establishments located in area(s) of ~~[[eminent]]~~ >>imminent<< or actual danger to close and remain closed until further order;
 - (g) An order requiring the closure of any or all bars, taverns, liquor stores, and other business establishments where alcoholic beverages are predominantly sold or otherwise dispensed; provided that with respect to those business establishments which are not primarily devoted to the sales of alcoholic beverages, and in which such alcoholic beverages may be removed or made secure from seizure by the public, the portions thereof utilized for the sale of items other than alcoholic beverages may, at the discretion of the Manager, be allowed to remain open;
 - (h) An order requiring the discontinuance of the sale, distribution or giving away of alcoholic beverages in any or all parts of Miami-Dade County;
 - (i) An order requiring the closure of any or all establishments where firearms and/or ammunition are sold or otherwise dispensed; provided that with respect to those business establishments which are not primarily devoted to the sale of firearms and/or ammunition, and in which such firearms or ammunition may be removed or made secure from possible seizure by the public, the portions thereof utilized for the sale of items other than firearms and ammunition may, at the discretion of the Manager, be allowed to remain open;
 - (j) An order requiring the discontinuance of the sale, distribution or giving away of gasoline or other ~~[[liquid]]~~ flammable >>liquid<< or combustible products in any container other than a gasoline tank properly attached to a gas powered vehicle;
 - (k) An order closing to the public any or all public places including streets, alleys, public ways, schools, parks, beaches, amusement areas and public buildings;
- ~~[[4]]—Such other orders as are immediately necessary for the protection of life and property; provided, however that any such orders shall, at the earliest practicable time, be presented to the Board for ratification or confirmation in accordance with this chapter;]]~~
- ~~[[m]]~~>>(l)<< In addition to the provisions of Chapter 8A-5 of the Code of Miami-Dade County, orders to prevent price gouging for any essential commodity, dwelling unit, or storage facility;
- ~~[[m]]~~>>(m)<< Orders requesting the conservation of water supplies;
- ~~[[m]]~~>>(n)<< The Manager shall cause any proclamation ordered by the Mayor or the Board pursuant to the authority of this chapter to be delivered to all

news media within ~~[[the]]~~ >>Miami-Dade<< County, and shall utilize whatever available means to give public notice of such proclamation.

>>(o) Such other orders as are immediately necessary for the protection of life and property; provided, however that any such orders shall, at the earliest practicable time, be presented to the Board for ratification or confirmation in accordance with this chapter.<<

(3) Appoint a Director of the Office of Emergency Management.

(4) The Manager will require all >>Miami-Dade<< County department and agency directors to develop emergency operations plans, establish staff members who will carry out these plans, represent their agencies during a disaster or emergency, and will make available to the Office of Emergency Management twenty-four (24) hour contact information and a system of notification of key employees.

>>(a) The directors of all Miami-Dade County departments and agencies that are required to report to and function in the EOC as outlined in the Plan, will appoint no less than six (6) staff members who will form the pool of that department's or agency's representatives that will be assigned to report to the EOC upon activation to represent their department or agency or serve as lead agency for a specific function.

(b) The directors of all Miami-Dade County departments and agencies will designate each staff member as essential or non-essential as defined in § 8B-2 (14-15). The function and responsibilities of "essential" staff will be outlined in the department's or agency's preparedness plan pursuant to § 8B-9 (1). The directors shall submit a list of all "non-essential" staff members to the Office of Emergency Management each May. These "non-essential" staff members will serve in the Disaster Assistance Employee program.<<

(5) The Manager or ~~[[his/her]]~~ designee shall present an annual emergency preparedness report to the Board and the Mayor. This report, to be presented in writing, shall ensure that the Board and the Mayor are informed on the status of the ability of ~~[[the]]~~ >>Miami-Dade<< County to prepare for, respond to, and manage disasters and emergencies. This report is pursuant to the Citizens' Bill of Rights, Section 10 of the Miami-Dade County Home Rule Charter and F.S. 252.

(6) During training or exercises requiring the participation of any or all >>Miami-Dade<< County departments or agencies, it shall be the responsibility of the Manager to ~~[[insure]]~~ >>ensure<< appropriate participation by said departments in support of the ~~[[Office of Emergency Management]]~~ >>Plan.<< (Ord. No. 99-51, § 3, 5-25-99)

Sec. 8B-8. Duties of the Director of the Office of Emergency Management.

The Director shall be responsible for the organization, administration and operation of the Office of Emergency Management, subject to the direction and control by the Manager. The Director shall coordinate the activities, services and programs for emergency management and disaster response within ~~[[the]]~~

>>Miami-Dade<< County and shall maintain liaison with other emergency management organizations.

(1) The Director or ~~[[his/her]]~~ designee shall prepare a Comprehensive Emergency Management Plan and program for the emergency management of ~~[[the]]~~ >>Miami-Dade<< County pursuant to F.S. 252, including, but not limited to elements addressing mitigation activities, preparedness, responses to disasters and emergencies, and recovery operations and submit the Plan and program to the Director of the Division of Emergency Management, State of Florida, for review and certification for consistency with the State Comprehensive Emergency Management Plan and compliance with Federal emergency management mandates.

(2) The Director >>or designee<< shall monitor and advise the Mayor and Manager of any and all ~~[[situations]]~~ >>threats, emergencies, or disasters<< that pose a ~~[[threat]]~~ >>risk<< to the lives and safety of the residents of ~~[[the]]~~ >>Miami-Dade<< County, proposing solutions for their decision on how best to protect people and property from ~~[[imminent]]~~ >>imminent<< danger, or from further damage.

(3) The Director or ~~[[his/her]]~~ designee shall procure supplies and equipment, institute training programs, public preparedness information and education programs, manage and coordinate disaster drills and exercises in accordance with the Plan.

(4) Provision of Shelter:

(a) Public Shelter Manager: In cases of national emergency, or local disaster or emergency as defined herein, the Director or ~~[[his/her]]~~ designee, may appoint Shelter Managers, who shall open public shelters; take charge of all stocks of food, water and other supplies stored in said shelter; admit the public according to ~~[[the]]~~ >>Miami-Dade<< County's sheltering plan; and take whatever control measures are necessary for the protection and safety of the occupants.

(b) >>In the event any of the aforementioned public shelters are not available or no longer suitable for use as a shelter for whatever reason, the Director or designee may cause to be opened any publicly owned building within Miami-Dade County for such use as deemed necessary by the Director or designee.<< ~~[[the]]~~ >>(c)<< Shelter Managers are authorized to use reasonable restraint against those who refuse to cooperate with the routine of shelter living under emergency conditions. Refusal to carry out the orders of the Shelter Manager and ~~[[his/her]]~~ appointed staff shall be deemed an offense punishable by a fine of not more than five-hundred dollars (\$500.00) or imprisonment in ~~[[the]]~~ >>Miami-Dade<< County jail of not more than sixty (60) days or by both such fine and imprisonment.

(5) The Director or ~~[[his/her]]~~ designee shall, in consultation with all municipalities, concerned agencies, public utilities and state offices, develop an evacuation plan for ~~[[the]]~~ >>Miami-Dade<< County. This plan should be usable for any or all types of >>emergencies or<< disasters. It should coordinate the

efforts of all local entities allowing for ~~[[swift]]~~ >>rapid<< execution in the face of a sudden disaster.

(6) The Director is authorized by the Board ~~[[upon approval of these amendments,]]~~ to enter into mutual aid agreements in collaboration with other public and private agencies within the State for reciprocal disaster aid and assistance in the event of a disaster or emergency too great to be dealt with unassisted. (Ord. No. 99-51, § 1, 3, 5-25-99)

Sec. 8B-9. County Department Preparedness >>Contingency<< Plans.

To facilitate emergency preparedness planning for ~~[[the]]~~ >>Miami-Dade<< County, as required by Florida Statute 252.38 (1)(a), all >>Miami-Dade<< County departments, authorities, independent agencies, and constitutional officers shall prepare and annually review and revise ~~[[if necessary,]]~~ emergency preparedness contingency plans pursuant to directions >>and<<guidelines ~~[[, and assistance]]~~ from the Office of Emergency Management. >>These emergency preparedness contingency plans must identify a baseline of preparedness for a full range of hazard-risks and potential emergencies and must establish a comprehensive and effective program that maintains the continuity of essential departmental functions during any emergency or other situation that disrupts normal operations.<< ~~[[The]]~~ >>Miami-Dade<< County shall ensure that such contingency plans are consistent with the Plan. (Ord. No. 99-51, § 3, 5-25-99)
>>(1) These emergency preparedness contingency plans shall be submitted to the Office of Emergency Management by the last day of March each year in an Office of Emergency Management-approved format and shall address the following areas:

- (a) A departmental or agency risk assessment and vulnerability analysis;
- (b) Preparedness and mitigation activities including procedures for employees who perform pre-event activities or shut down critical operations;
- (c) Operational procedures of the departmental or agency operations center or command post;
- (d) Direction and control including authorities and responsibilities of key personnel and the chain-of-command;
- (e) Communications (primary and back-up) systems that will be used to keep employees, on-duty and off-duty, informed of departmental response activities, to coordinate employees in order to carry out departmental missions, to keep in contact with customers and suppliers, and to coordinate with the Miami-Dade EOC;
- (f) Life safety procedures including employee alert and notification, assembly and accountability, evacuation procedures, employee/family preparedness and welfare;
- (g) Protection of facilities, equipment, supplies, and vital records;
- (h) Recovery and restoration of services including employee support, critical asset repair/replacement, and the continuity of operations;

- (i) Operating procedures for documenting departmental or agency emergency personnel, equipment, services, and materials expenditures and for their recovery or reimbursement from appropriate local, state, and federal sources;
- (j) Public information;
- (k) Administration and logistics.<<

Sec. 8B-10. Evacuation of Residential Health Care Facilities (RHCs).

All licensed residential health care facilities (RHCs) in Miami-Dade County will be required to participate in the Miami-Dade County RHC ~~[[Hurricane]]~~ ~~[[plan]]~~ >>program<< incorporated into the Plan under the guidance of the Office of Emergency Management.

- (1) RHCs located in hurricane evacuation zones and that ~~[[have]]~~ >>house<< stretcher bound patients/residents must coordinate ~~[[said patient's]]~~ >>aforesaid patients'<< evacuation according to the Miami-Dade County Stretcher Bound Patient Evacuation Protocol, referred to in the Plan.
- (2) RHCs are required to take part in an annual disaster drill coordinated by >>the<< Office of Emergency Management. (Ord. No. 99-51, § 3, 5-25-99)
- >>(3) All companies licensed by Miami-Dade County to provide nonemergency medical transportation service are required to participate in the evacuation of RHCs as instructed by the Office of Emergency Management.<<

Sec. 8B-11. Volunteers and ~~[[auxiliary preparedness personnel]]~~ >>Disaster Assistance Employees<<.

- (1) The recruitment, training and use of individuals as volunteer>>, Disaster Assistance Employees,<< and auxiliary emergency preparedness personnel is >>hereby<< authorized, and the Director or ~~[[his/her]]~~ designee may recruit, train and assign these personnel in accordance with the Plan and as required by the exigencies of a disaster when these personnel are used.
- (2) ~~[[Volunteer and auxiliary personnel shall receive training adequate to allow them to perform their assigned duties. For this purpose the Director or his/her designee(s) may make use of private volunteer organizations that provide instruction, employees, or formal training in the service academies for police and fire or other schools and classes;]]~~ >>The Director or designee shall mandate training of county employees, activation and assignment of Disaster Assistance Employees as required by the exigencies of a disaster.<<
- (3) No individual receiving instruction as a volunteer ~~[[or auxiliary emergency preparedness worker or]]~~ activated to assist under the provisions of this chapter, who is not already a >>Miami-Dade<< County employee, shall be entitled to receive any benefits, compensation or status as a >>Miami-Dade<< County employee. (Ord. No. 99-51, § 3, 5-25-99)

Sec. 8B-12. Penalties.

It is unlawful for anyone to fail or refuse to obey any such order issued by the Mayor, the Board, the Manager, or the Director or their designee pursuant to this chapter. Anyone convicted of a violation of this section is punishable by a fine of not more than five hundred dollars (\$500.00) or by ~~[[the]]~~ imprisonment for not more than one hundred and eighty (180) days, or both. (Ord. No. 99-51, § 3, 5-25-99)

>>8B-13. Emergency Operations Center Management.

(1) The Director or designee will activate the Miami-Dade EOC in anticipation of, or in response to, a disaster. Pursuant to 8B-7(4)(a), assigned departmental or agency staff members will respond to the EOC when activated. Department directors will ensure that the Office of Emergency Management is maintained with accurate 24-hour contact information for each of these staff members and ensure that appropriate staff report to the EOC in a timely manner, upon activation. The Office of Emergency Management will assist directors to train the staff representatives in their role and function.

(2) The Director or designee is responsible for the constant readiness of the Miami-Dade EOC and the alert and notification of all representatives for the activation of the Miami-Dade EOC.

(3) In accordance with the Plan, private agencies or organizations may be required by the Director to serve in the Miami-Dade EOC and provide a representative to the Miami-Dade EOC. These agencies or organizations will appoint no less than six (6) staff members who will form the pool of that agency's or organization's representatives that will be assigned to report to the EOC upon activation to represent their agency or organization or serve as lead agency for a specific function. Agency or organization directors will ensure that the Office of Emergency Management is maintained with accurate 24-hour contact information for each of these staff members and ensure that appropriate staff report to the EOC in a timely manner, upon activation. The Office of Emergency Management will assist directors to train the staff representatives in their role and function.

8B-14 Municipal/Divisional Emergency Operations Centers.

(1) In accordance with the Plan, all incorporated municipalities within the boundaries of Miami-Dade County will be organized into divisions, determined by the Office Emergency Management.

(2) One municipality within each division will be designated by the Director as a Divisional Emergency Operations Center and will be required to send a representative to the Miami-Dade EOC upon activation.

(3) When requested by the Director, each Divisional EOC will activate their municipal EOC facility, send a trained representative to the Miami-Dade EOC, and take whatever actions are necessary to mitigate the effects of, assist in the response to, or recovery from, a disaster.

(4) Once Divisional EOCs have been activated by the Director, their subordinate municipalities are required to make requests in accordance with the Plan.

8B-15. Planning related to Special Facilities

(1) Special facilities are those institutions or organizations whose populations are dependent upon the institution for transportation.

(2) Special facilities are required to have a plan in place to be self sufficient in an emergency that would require evacuation of their facility due to a natural or technological disaster.

(3) These institutions include, but are not limited to assisted living facilities, schools (public and private), day care centers, elderly centers or other organizations.

(4) The Plan will include provisions to allow these institutions to incorporate within their plans the use of reception centers, alert and notification and family reunification services. <<

Section 2. If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

Section 3. It is the intention of the Board of County Commissioners, and it is hereby ordained that the provisions of this ordinance, including any sunset provision, shall become and be made a part of the Code of Miami-Dade County, Florida. The sections of this ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section," "article," or other appropriate word.

Section 4. This ordinance shall become effective ten (10) days after the date of enactment unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

PASSED AND ADOPTED:

Approved by County Attorney as
to form and legal sufficiency:

Prepared by:

Eric A. Rodriguez

RA6
